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Applicant(s): Mei et al. (Eaton, Jr.)

Examiner: Howard Weiss

#### ***Election/Restrictions***

1. The Applicants' election with traverse of the Group I invention, Claims 7 to 20, in Paper No. 5 is acknowledged. The traversal is on the ground(s) that the search and examination of Groups I and III (Claims 1 to 6) can be made without serious burden on the Examiner. This is not found persuasive because the inventions were shown to be distinct since the process for using the product as claimed can be practiced with another materially different product (the Group III invention could use a memory cell without a diffusive metal; see MPEP § 806.05(h)). Therefore, these inventions are distinct for the reasons given and, as shown by their different classifications, the fields of search are not co-extensive and separate examination would be required

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 1 to 6 and 21 to 25 are withdrawn from consideration as being for a non-elected invention. The Applicants are requested to cancel the non-elected claims as part of a complete response to this office action. Cancellation of the non-elected claims would not preclude the later filing of a divisional application on the non-elected invention (please see 35 USC 120 and 121).

#### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "line 3-3" as described in Lines 19 to 22 on Page 5 of the Specification. A proposed